

Notes to Co-op Nation

March 21, 2014

TO: NRECA Board of Directors
Distribution CEOs
Statewide Managers
G&T Managers

FROM: Jo Ann Emerson

Co-ops Ask Court to Reject Parts of FERC's Order 1000 Transmission Planning Rule

We urged a federal appellate court this week to throw out sections of the Federal Energy Regulatory Commission's (FERC) 2011 transmission planning and cost-sharing rule. We challenged a provision in FERC's Order 1000 that improperly allows public utilities to collect fees from non-users, like co-ops, which may indirectly benefit from transmission lines they don't use. We emphasized those non-customer fees overstep the limits Congress set in the Federal Power Act. NRECA, with the American Public Power Association (APPA) and others, also argued that FERC inadequately protected the needs of load-serving entities like co-ops.

We also joined with APPA and the Large Public Power Council in asking the court to reject an argument by Edison Electric Institute claiming FERC must require non-public transmission providers, including co-ops, to participate in regional planning sessions. Electric co-ops support voluntary regional planning, but current law doesn't allow FERC to force non-jurisdictional transmission providers, including most co-ops, to participate in regional planning.

'All-of-the-Above' Campaign Update: Sign Up for Grassroots Webinar

You've sent more than [326,000](#) comments on Environmental Protection Agency's (EPA) climate change agenda through your grassroots effort on [Action.coop](#) and local partner groups on [TellePA.com](#)! To help make the biggest impact, register for our free ["Kick It Up A Notch"](#) webinar this Tuesday, March 25, on taking your grassroots efforts to the next level. Keep inviting friends and neighbors to get on [Action.coop](#) and [TellePA.com](#) to tell EPA why we oppose its climate agenda. See how [WIN Energy](#) in Indiana reaches out to members by e-mail.

Keep Urging Congressional Leaders to Support RUS Loan Program

You have 43 congressional leaders signed on the letter to House appropriators supporting the Rural Utilities Service (RUS) Electric Loan Program (list attached). We have until next Friday, March 28, to get more signers on this letter sponsored by Reps. Conaway (R-TX), Peterson (D-MN), Cramer (R-ND) and Vela (D-TX). It supports the \$5 billion RUS loan level in the Administration's budget proposal, which will reduce the deficit by more than \$280 million. The letter asks the Appropriations Committee to reject recycled RUS loan restriction proposals from the Administration's budget requests in previous years.

RUS Extends Comments Deadline for Proposed Environmental Policies

We've heard the Department of Agriculture will accept comments on proposed RUS

environmental policies for all agency programs for another 30 days in response to our request for more time. The new deadline for comments is May 7. The agency will publish a notice within a couple of weeks. We'll use the additional time to determine our detailed response to the proposed changes. The proposal affects National Environmental Policy Act requirements for borrowers and RUS programs, including the Electric Loan Program.

Co-ops Show Strong Interest in Rural Broadband Trials

A big thank you to the approximately 100 [electric co-ops](#) that sent letters of interest to participate in rural broadband trials funded by the Federal Communications Commission (FCC). The proposed co-op projects would serve 106 co-ops in 26 states. This new FCC initiative wouldn't have come about without co-ops telling compelling stories about how lack of access to quality broadband impacts rural communities.

Rail Shippers Urge Senate to Confirm STB Commissioner

Our rail shipper coalition, Consumers United for Rail Equity, sent a letter urging Senate leaders to approve the Surface Transportation Board (STB) nomination of Debra Miller, a former Kansas Transportation Secretary. We support her nomination for a vacant seat on the three-member board, which cleared committee review with bipartisan support. The STB vacancy is causing delays and uncertainties in rate cases that affect captive rail shippers.

Distributed Solar Analysis Should Include Regional, Utility Needs

In response to an Energy Department request for information, we sent comments on the benefits and costs of distributed solar photovoltaic systems. We stressed that any distributed solar cost-benefit analysis should consider regional and utility-specific characteristics, and how solar photovoltaic costs could impact all utility customer classes. We also emphasized that utilities and their regulatory authorities are best-positioned to choose cost-effective resources that meet the goals of utilities and their consumers.

Class Action Lawsuit Seeks Early Retirement of Co-ops' Capital Credits

We want to alert you to a class-action lawsuit filed by a group of former Georgia electric co-op members to force early retirement of capital credits. The lawsuit against Oglethorpe Power Corp., Georgia Transmission Corp, and an alleged class of their distribution members wants an early retirement of distribution and G&T capital credits as soon as the consumer-members leave the distribution co-ops, instead of under the normal schedule. The lawsuit alleges the former members are owed at least \$600 million. For questions, contact [Ty Thompson](#) in NRECA's Office of General Counsel.

Summer Internships Available at NRECA

Help get the word out to college juniors and seniors in your co-ops about NRECA's Internship Program. The paid summer internships provide work experience and enrichment activities for 12 weeks from May 19 through August 8. Applicants must have a 3.0 GPA and provide a resume, college transcripts and two professional recommendations when they apply for intern positions listed on our [career center](#). For questions, contact NRECA's [Stephanie Wunderlich](#).

Attached: RUS letter list.